

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEN WALTERS and JOHN BONILLA, in
their respective capacities as Trustees of the
OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA, et al.,

Plaintiffs,

v.

RON R. JURIN, et al.,

Defendants.

No. C-05-1169 MMC


ORDER OF DISMISSAL

The Court having been advised that the parties have agreed to a settlement of the
above-titled action,

IT IS HEREBY ORDERED that said action be dismissed without prejudice; provided,
however, that if any party hereto shall certify to this Court, within ninety days, with proof of
service of a copy thereof on opposing counsel, that the agreed consideration for the
settlement has not been delivered, the foregoing order shall stand vacated and the action
shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: November 28, 2005


MAXINE M. CHESNEY
United States District Judge